

**From:** John Gallup  
**To:** Microsoft ATR  
**Date:** 1/24/02 9:26pm  
**Subject:** Microsoft Settlement

I am writing to oppose the Department of Justice's proposed settlement with Microsoft. The settlement remedies are inadequate to restrain Microsoft from extending its monopoly power, and hence against the interest of the public and continued innovation in the information technology sector. Microsoft has shown great ingenuity in subverting past behavioral remedies after being caught in court. In fact, in every case, it has achieved its objective of protecting its monopoly position from competitors, and the competitors have lost out despite the court remedies. Often these competitors had technically superior products.

Since structural remedies for restoring competition in Microsoft's many markets seem to no longer be in the cards, behavioral remedies that have some prospect of effectiveness include prohibiting Microsoft's anti-competitive preload agreements with hardware makers, publicly documenting the data file formats of the Office suite, and submitting Microsoft's present and future networking protocols to an independent open standards body.

Without these remedies, Microsoft can easily maintain its operating system monopoly with the preload agreements, its office suite monopoly by preventing competitors from reading from and writing to Microsoft formats reliably, and gradually to monopolize access to the Internet through Microsoft's expanding set of proprietary methods for transacting data, assuring security, and making payments over the Internet.

Microsoft's tightening grip on large parts of information technology is not broad speculation - all of these threats to competition and further innovation are well documented by Microsoft's competitors and independent observers. You have a duty to protect the public from this threat.

Sincerely,

John Luke Gallup, PhD.  
Economist